

The performance of the public sector is strictly correlated to the level of integrity. Higher education makes no exception from the rule. Romania was ranked 70th in the world, according to the 2008 Corruption Perception Index (Transparency International), being the most corrupt country of the EU new member states.

While corruption at the administrative and political level have received a lot of attention from the European Commission and the media, corruption in education is a subject less discussed, even though in polls, citizens express their dissatisfaction with this aspect.

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University Integrity Contest

An integrity system for the Romanian higher education

Recent studies covering the tertiary education brought up a problem widely but only informally discussed in the academic community, the corruption in Universities¹. Corruption in education is defined by Hallak and Poisson as “the systematic use of public office for private benefit, whose impact is significant on the availability and quality of educational goods and services, and, has a consequence on access, quality or equity in education”.² Corruption covers a wide range of activities, such as: favouritism, nepotism, clientelism, soliciting or extortion of bribes, and embezzlement of public goods, among others (see Table 1).³

77% of the students and 35% of teaching staff consider the level of corruption in Romanian universities is high. Moreover, 50% of students and 28% of teaching staff from public universities know that in their department there are professors who receive money/gifts from their students⁴. Furthermore, the

perception of corruption points out to a generally low level of confidence of citizens towards state institutions.

The education sector is among the largest components of the public sector; it consumes between 20% and 30% of the total budget (central and local), employs by far the highest proportion of educated human resources (administrators, inspectors, teachers and professors), and concerns between 20% and 25% of the population (pupils and students, parents and other stakeholders)⁵.

Thus, the issue is all the more serious, as corruption can reduce the available resources for education, and even limit the access to education of marginalized groups. Bribing in order to obtain a degree seriously reduces the quality of education and also of the ones that receive this education. This has repercussions on the labour market and distorts the whole process that would lead to the selection of the best, implicitly affecting the economic, social and political development of the country.

¹ SAR report on Education , 2007, Lisbon, Bologna and the fabrication of mediocrity in the Romanian education system, accessed at

<http://www.sar.org.ro/files/PWR-en.pdf>

² Hallak, J.; Poisson, M. 2002. *Ethics and corruption in education*. Results from the Expert Workshop held at the IIEP. Paris, 28-29 November 2001. IIEP. Observation programme. Policy Forum No. 15. Paris: IIEP-UNESCO.

³ Hallak, J.; Poisson, M. 2007, *Corrupt schools, corrupt universities: What can be done?*, International Institute for Educational Planning, accessed at <http://unpan1.un.org/intradoc/groups/public/documents/UNESCO/UNPAN025403.pdf>, pag 23

⁴ Comşa; Tufiş; Voicu, 2007, Sistemul Universitar Romanesc, accessed at

http://www.osf.ro/ro/fisier_publicatii.php?id_publicatie=600, pag 70

⁵ Hallak, J.; Poisson, M. 2007, *Corrupt schools, corrupt universities: What can be done?*, International Institute for Educational Planning, accessed at <http://unpan1.un.org/intradoc/groups/public/documents/UNESCO/UNPAN025403.pdf>, pag 23

Table 1. Typologies of forms of corruption within the education system

Chapman, 2002	Tanaka, 2001	Heyneman, 2004	Rumyantseva, 2005
Blatantly illegal acts of bribery or fraud	Public procurement	Corruption in procurement	Corruption that does not involve students as agents and has a limited effect on them
Actions to secure a modest income by people paid too little or too late	Educational administration	Corruption in educational property and taxes	Corruption that involves the students as agents and has a direct effect on their values, beliefs and life chances
Actions taken to get work done in difficult circumstances	Teachers' corruption in classroom	Corruption in selection	
Differences in cultural perspectives (e.g. gift-giving)		Corruption in accreditation	
Behaviour resulting from incompetence		Professional misconduct	
		Corruption in services/academic corruption	

Sources: Chapman, 2002; Tanaka, 2001; Heyneman, 2004; Rumyantseva, 2005, Hallak, J. and Poisson, M., 2007

Last but not least, the culture of corruption is being passed on to the younger generation who perceives this behaviour as a correct practice. They learn that cheating and bribing is an acceptable way to advance in their careers, and that personal effort does not count, and success rather comes from manipulation and favoritism. Apparently, the nature of the exchange between two actors involved in the education system (e.g.: student offers financial gift to the teacher in order to be promoted), is a win – win situation. The student obtains a degree and the teacher acquires an extra income. But the situation can easily be a win – lose one, as even if the teacher benefits from the extra income, the student loses because he does not acquire knowledge.

These practices cancel out all the incentives that could motivate young people to work in order to get what

they want. Hence, the main values of education, integrity, equity, fairness and social justice, are contradicted.⁶

Autonomy v accountability of universities

In this context, the autonomy of universities is a sensitive matter, as without a serious set of control structures, the autonomy of these institutions can easily aggravate the problem of corruption in the higher education system. Thus, according to the Education Law no. 84 (r2) from 24/07/1995, Art. 13, "The autonomy of universities is guaranteed". This is

⁶ Hallak, J.; Poisson, M. 2007, *Corrupt schools, corrupt universities: What can be done?*, *International Institute for Educational Planning*, accessed at <http://unpan1.un.org/intradoc/groups/public/documents/UNESCO/UNPAN025403.pdf>, p. 56

defined in Art. 89 (1) as follows: “the autonomy of universities, means that the university community has the right to lead itself, to exercise its academic liberties without any ideological, political or religious obligations, to assume a set of competences and obligations according to national strategic options and orientations of the plan for development of higher education, as established by the law”.

By autonomy, the Romanian society understands, a higher education institution that manages itself, namely it elects its leaders, the structure and way of functioning, its academic and scientific activity, and how it administers the higher

Autonomy is not equivalent to lack of control education resources from the state budget, as well as private funds. All these activities remain under the supervision of the Education, Research and Innovation Ministry. The latter’s main responsibilities are to supersede the national strategy of education, to allocate education funding, to confirm the appointment of elected rectors, and to confirm the accreditation of higher education institutions. (Art. 141 from Law no. 84 (r2) of 24/07/1995).

For a public institution to be legitimate, its autonomy has to be counterbalanced by an accountability mechanism. There are two types of such mechanism. Formal accountability describes the reporting obligations of an institution. The transparency/openness of an institution’s policies and procedures means that it has transparent reporting procedures and practices towards a supervisory body, in this case the Ministry of Education. On the other hand, substantive accountability stands for a set of sanctioning procedures, that are to be applied by the control structures of the Ministry of Education.

The Ministry exercises its control powers through some structures, key for higher education being the

Minister’s Control Department, whose main function is to check how universities function, by respecting their autonomies. And the Romanian Agency for Quality Assurance in Higher Education, that is an independent agency under the supervision of the Ministry, and whose main functions are the accreditation of universities and the external evaluation of these institutions such as to assure the level of quality in education.

Even though these mechanisms exist in theory, it does not mean that they function accordingly, so as to ensure that the universities are sanctioned when they do not perform the tasks they were created for. As we can see in the example below, the control mechanisms of the Ministry do not exercise their sanctioning power, as they should.

On the other hand, the formal accountability mechanism is not a transparent one, as can be observed from the results of the Coalition for Clean Universities project, as follows.

CASE STUDY: Vasile Burlui, University of Medicine and Pharmacy „Grigore T Popa”, Iași

Throughout 1997-2000, the University of Medicine and Pharmacy „Grigore T Popa”, Iași, the Faculty of Stomatology, issued 63 forged diplomas to Italian citizens, supposedly graduates of the Ecological University, even though many of these did not even take their Baccalaureate exams, having only graduated from professional schools. These Italian citizens could take their final exams and present their dissertation at Iași in 1997-2000, with the consent of the Ministry of Education, at the request of the Ecological University that claimed it had as partners the Asociation de Estudios Universitarios Europea Madrid (Spain) and the Centro Interuniversitario Europeo din Pavia (Italia). The Dean of the Stomatology Faculty at that time was Vasile Burlui. The scandal of the forged diplomas started in 2000, when the Italian Embassy notified the National Council for Academic Evaluation and Accreditation, that there was a network of diploma mills in which Romanian institutions were involved. The commission that investigated this situation concluded that the problem lied in the verification of the Italians' applications. Thus, the Commission proposed four sanctions to be voted upon: to suspend Dean Burlui for 6 months, to lay off the chief secretary of the Dean, to reduce the salary of the rector's secretary with 5%, and to annul the 63 forged diplomas. Out of the four proposals, only two have been put into practice, namely the chief secretary Jana Condurache, was laid off, and the diplomas were annulled with 41 votes for and 7 against.

To avoid such instances, the then Minister Andrei Marga, issued an order by which it regulated who should take the responsibility in such cases. Thus, according to MEN no. 4729/1.10.2000, the rector holds the entire responsibility to check the premises and whether the studies taken so far were legal, in order to be able to issue a diploma. "The persons that have falsified grades or papers, that have tolerated falsification or that have been neglectful in their approach to check the applicants' qualifications, are to be discharged from that institution and are to be removed from the educational system. The directors and deans that have tolerated falsifications or have been neglectful in this process are to be discharged from their function. The rectors who have tolerated falsifications are to be sanctioned according to the law".

Surprisingly, after almost three years of investigations, the diplomas affair was buried. The Prosecutors Office attached to the High Court of Cassation and Justice, has seized criminal investigations against Vasile Burlui, as well as against the other three persons initially under investigation: Dolphi Drimmer, the rector of the Ecological University Bucharest, Dana Bugeac, chief secretary of the University, and Jana Condurache, chief secretary of the Faculty of Stomatology.

Vasile Burlui was named rector in March 2004, and in October 2005 the University Senate revoked this decision.

A final Court decision taken on June 10th 2007, through which the Court of Appeal annulled the University' Senate decision to revoke Burlui from his function was contradicted by the Senate that decided by a majority of votes not to apply this decision. The then Minister, Cristian Adomniței, who initially stated that the Court decision is immediately enforceable, changed his attitude afterwards arguing that the Justice will solve this case.

So, Burlui walked free from this criminal case, but as of February 2009, another criminal investigation has started based on other facts, such as abuse in office, intellectual fraud, and negligence.

Source: Ziarul de Iași, 2000, 2005, 2009

The reform of higher education

At the European level, important steps forward started to be made. The 1999 Bologna declaration put forward a plan of convergence for European universities that countries set on to apply on a voluntary basis.⁷ The rationale underpinning Bologna was that by implementing its recommendations EU would narrow the performance gap separating it from the United States. The action program set out in the Declaration, presumed to create a European space for higher education in order to enhance the employability and mobility of citizens and to increase the international competitiveness of European higher education mainly by: adopting the common framework of readable and comparable degrees; the introduction of undergraduate and postgraduate levels in all countries, with first degrees no shorter than 3 years and relevant to the labour market; ECTS-compatible credit systems and a European dimension in quality assurance, with comparable criteria and methods. After Bologna, at the Lisbon Summit in March 2000, European Heads of Government committed themselves to the objective of making the European Union the world's most dynamic knowledge based economy by 2010. The approach was this time considerably more complex and qualified, discussing the knowledge based economy as a whole.

This frame of actions is well-known and widely shared among educational planners and policy-makers in Romania also. The Ministry of Education and Research as the main actor assuming educational reform in Romania, committed itself to some steps forward. Since 2004, the three-cycle structure was adopted in higher education. At present, about 40% of the students

in higher education are enrolled in the "Bologna" cycles. Since 2005, the Agency for Quality Assurance in Higher Education (AQAHE), which has specific tasks in the field of accreditation, supports the development of mechanisms for the implementation of the "Bologna" process.⁸ As part of restructuring and modernizing university education, progress was made in terms of institutional framework and methodology supporting the development of National Qualifications Framework in Higher Education (NQFHE) and for quality assurance, by setting up, in 2005, the National Agency for the Qualifications in Higher Education (NAQHE) and Partnership with Social and Economic Environment and the Romanian Agency for Quality Assurance in Higher Education (RAQAHE), respectively.

Despite these reforms, the results are feeble. The so-called changes tackled the problems at the surface maintaining the former institutional structures. Reforms have slowly advanced during transition years, due to social reasons, and have often been reversed when encountering opposition. More often than not, reforms were grounded in some normative principles rather than on knowledge or understanding of the needs of the Romanian reality. Regardless of this inflation of new European-like institutions (credits, evaluations of quality) the system continues to lose rather than gain quality. According to results of international evaluations, the Romanian higher education system is mediocre at best. Romanian universities do not make in the 500 Shanghai top, although a growing number of Romanian students graduate "magna cum laude" from top universities in Europe and the US.

⁷ Bologna Declaration on the European space for higher education an explanation, <http://ec.europa.eu/education/policies/educ/bologna/bologna.pdf>

⁸ Programul Național de Reformă 2007-2013, Ia <http://www.edu.ro/index.php/genericdocs/c482/>

The institutional structures remain greatly the same. Romania has its particularities as a former Communist country and in the field of education this is rather obvious. It would be wrong to assume that all Communist inheritance was bad but the persistent legacy is composed of weaknesses rather than strengths. Romania inherited from Communism a system with high standards (tough admission entry exams at the most desired high-schools or universities) and a considerable stress laid on science and technology but the innovation and initiative were weakly encouraged. Romanian education is not one based on incentives, but rather on an accumulation of formal qualifications⁹. The lack of flexibility, which led to ossified hierarchies, especially in the higher education, is by far one of most important obstacles.

The Coalition for Clean Universities (CCU)

Currently there are national projects initiated by the Ministry of Education that are orientated towards the quality and leadership in higher education, excellence PHD programmes, and university management. However, there is no comprehensive approach towards an analysis of integrity issues, very often mentioned by the media, but that cannot be kept in control even by the Ministry's structures that are meant to do just that.

Because these structures are not able to prevent corruption and the lack of academic performance in universities, only by shedding light onto these problems, and debating them, the citizens can be encouraged to actively demand accountability

from these public institutions. Thus, citizens' attitudes are essential in building a responsive public administration, and its priority should be to foster attitudes that do not tolerate favouritism, nepotism, clientelism, plagiarism, bribes, etc.

By making the universities' practices transparent, the interested actors, as well as regular citizens, will be able to apply a checks and balances mechanism. The transparency of a public institution is essential for its legitimacy, and opaqueness logically reduces its legitimacy and credibility. Furthermore, by making these processes transparent, the system will not be prone to corruption and will improve greatly by promoting real values.

Methodology

In this context, the CCU project was an exercise of watchdog and benchmarking, by applying an already tested methodology that was used in a pilot phase of the same project (October 2007-May 2008). In order to set the criteria in the questionnaire, the project started by mapping out the problems of integrity that exist in the Romanian higher education system, and classified them by categories. According to how the Coalition envisioned their importance, each category and item received a number of points, out of the total of 100.

The result was a questionnaire that comprised of the following chapters:

1. Transparency and administrative fairness.
2. Academic fairness.
3. Governance quality.
4. Financial management practices.

The assessments of universities in terms of this questionnaire were realized by teams of evaluators, composed of an expert and a student. These mix teams visited each university, and had meetings with the head of the institution, and

⁹ In one of the best accounts of a decade of reform, former Minister of Education Andrei Marga finds as main defaults of the system the transmittal of a knowledge it itself had ceased to generate, the operation on the basis of local rather than universal criteria, the stress on formal qualification rather than knowledge, and the stimulation of corruption. See Andrei Marga – Anii reformei 1997-2000, Ed. Fundației de Studii Europene, Cluj (2000)

the head of the faculty randomly selected, with students, trade unions, and other interested actors.

42 state universities were evaluated, out of a total of 56, as really specific universities, such as Arts, Police and Naval, were excluded from the sample, because it would have been impossible to apply the questionnaire in those cases.

1. Transparency and administrative fairness – 30 points

As mentioned above, this project started from the principle that any autonomous public institution has to be accountable. If the substantive accountability mechanism does not always work, as shown above, then at least the formal mechanism should be functional. Hence the main instrument of this exercise was Law 544/2001 regarding free access to public information, and in accordance with this law, there were two requests made. For the first one, the university had to send the name of the person who is in charge with answering the public information requests. Regardless of what and if the universities replied, there was a second request for the following documents:

1. The activity report for the previous year, in accordance with law no. 544/2001 and the strategic plan.
2. The income and expenses budget.
3. The minutes of the meeting in which the budget was approved.
4. The most recent wealth statements of the management of the university.
5. The University-level list of teaching positions.
6. The rules and regulations of admission and final exams, as well as specific PhD exams.
7. Internal rules and regulations, the University Charter, the Code

of Ethics and any other relevant documents for the analysis of academic integrity.

8. The synthesis of the last students' evaluation of courses (academic content) and teachers, and the methodology used.
9. The minutes of the last meeting of the Ethics commission, the composition of the commission and the decisions taken.
10. List of salaries, according to academic positions, as well as the extra incomes for researchers/teachers. Annual prizes for staff in management positions (rector, deans, etc.)
11. List of patents/international inventions as well as articles published in ISI ranked publications, resulting from governmental grants.
12. List of the teachers coordinating doctoral studies.
13. List of statements regarding cooperation with the former Secret Police¹⁰.
14. The collective employment contract.
15. The list of public procurements that cumulate more than 10.000 Euros for the past fiscal year.
16. An example of a study contract for the current academic year.

For this exercise, the evaluators awarded 21 points out of the total of 100. This includes 5 points for the first request – where the university sent a reply, and 16 for the second request. For this latter request, 1 point per document was awarded.

The analysis continued on the basis of these documents, where they were available, and based on other information from the universities'

¹⁰ In this case, due to the legislative change, that does not make it compulsory that these statements are made anymore, the point for this criterion was awarded from the start.

websites, from meetings with various interested actors, from the media, from notifications received on the Coalition's e-mail address or from the members of the Coalition.

Also as part of the first chapter, the evaluators checked the existence of the wealth and interests statements and whether they are up to date on the universities' websites, as they should be according to Law 144/2007. Depending on the number of available statements and if they were updated, this item received up to five points.

In addition to this, evaluators awarded up to four points for the existence of online information about the teaching staff, their CV-s, their published papers available online or electronic catalogues etc.

2. Academic fairness – 20 points

Part of the second chapter, the evaluators investigated the existence of rules and procedures to combat plagiarism, whether the universities have regular checks and if they are capable of controlling this phenomenon. Depending on these factors, the evaluators could award up to five points.

Further on, the study looked at the number of ISI papers per doctoral school¹¹, and where there was none, the percentage was calculated as per number of professors. Based on the ratio found, a number of maximum five points could have been awarded.

Evaluators also looked at the academic process, and whether both students and teachers take part in classes, and how the appeal committees for admission/final exams work. For both these categories, evaluators could award up to ten points.

¹¹ For this exercise, the Coalition randomly selected a faculty from each university.

3. Governance quality – 35 points

Evaluators checked the existence of an open system in what regards the access to vacancies. Is access to the university open for anybody with the necessary competences/skills? Are job openings specially made available for certain persons? Are contests for job openings published on the internet, in the media, and in the Official Journal? An indicator of an open system was the presence of more than one contestant for a job opening, and evaluators could award up to ten points for this item.

Another category evaluated as part of this chapter, was the existence of families in universities and whether there are any notorious cases of members of the same family that are professors in the same faculty. Evaluators could award up to ten points depending on the gravity of the situation.

Student participation in decision making was also looked at here. Thus, evaluators could award up to five points, where students have a real saying in the decision making process.

Also here, evaluators analyzed the academic performance of academic staff, by calculating the percentage of ISI papers (that belong to professors and lecturers) out of all ISI papers published in the university. The aim of this item was to have an indicator of whether promotions are based on merit and academic performance. Five points could have been awarded for this item.

And last but not least, the questionnaire evaluated how merit based salary supplements are awarded. Are they granted as a result of international publications and patents or are they discretionary? Evaluators could award up to five points, depending on the degree of correlation between merit and awards.

4. Financial management practices – 15 points

The last chapter was a basic analysis of financial documents. Evaluators checked how subsidies (scholarships, transport for students) were spent and correlated them to the sum of money returned to the public budget in the previous year. For this item, five points could have been awarded.

Further on, the evaluators randomly selected a number of public procurement documents and checked whether these respect rules and good practices. For this item, five points could have been awarded.

And as a final exercise of the questionnaire, evaluators checked whether wealth and interests statements, where they were available, pose any suspicions or are justified. This item also had five points available.

All chapters sum up to one hundred points. The questionnaire applied penalties (ten points each) in the following cases:

1. *The University has lost trials on issues of fairness with its students or employees.*
2. *There is more than one prosecuted case of corruption, sexual harassment, discrimination, etc. in the past 4 years.*
3. *Negative reports have been made by financial and regulatory bodies of the state in the past 4 years.*
4. *Proof exists of serious acts of forgery in the past 10 years (ex. Diplomas).*

At the end of each evaluation, the evaluators compiled a report with the results found for each university.

Limitations

This methodology reflects the views and opinions of the members of the Coalition in what regards academic integrity.

The questionnaire aimed to portray a wide range of the integrity issues in universities; however there is a series of inherent limitations present in the collection of data on the basis of a questionnaire. To control for the subjectivity of evaluators, trainings were organized in order to establish exact grading criteria for each of the items in the questionnaire. Very important in this matter, was the evaluation aftermath meeting, where individual experiences were compared and the scores were calibrated such as to reflect a uniform image of integrity in higher education. Two referents were asked to evaluate the final data, in correlation with the final reports, such as no university to be favored or discriminated, in comparison to the others.

The research evaluated universities on the basis of the past 4 to 10 years. The evaluation thus does not reflect only the actions of the actual management of the universities.

The results of CCU

Below, the results of the project are presented following the chapters in the questionnaire used.

1. Transparency and administrative fairness

Based on the total number of points awarded to the items of this chapter, we can observe where universities are positioned in relation to the mean (20.2 points).

Thus, 16 universities are located under the mean, 2 are equal to the mean, and 24 universities are slightly or considerably above the mean. None of the universities have reached the maximum number of points in this category, meaning that no university answers 100% to the rigors of the Coalition for Clean Universities.

A paradox can be noticed here: universities that have performed very well in total, according to the CCU methodology, at this chapter, they are located under the mean, e.g. "Alexandru Ioan Cuza" University from Iași, whose leadership refuses to make the wealth and interests statements public. In the same time, universities that are located well above the mean for this chapter, because they were transparent, have an overall weak performance, due to poorer performance in other categories.

The simple exercise of institutional transparency –sending requests based on Law 544/2001-, has turned out to be a very good indicator of measuring how well the formal mechanism of accountability in universities works. So, out of 42 universities, only 16 have answered to both requests, 2 have only replied to the first request, 23 have replied only when evaluators arrived in the respective university, and 3 completely refused to reply to either of the requests, even if they are liable to do that. Thus, only 38% of state universities were transparent

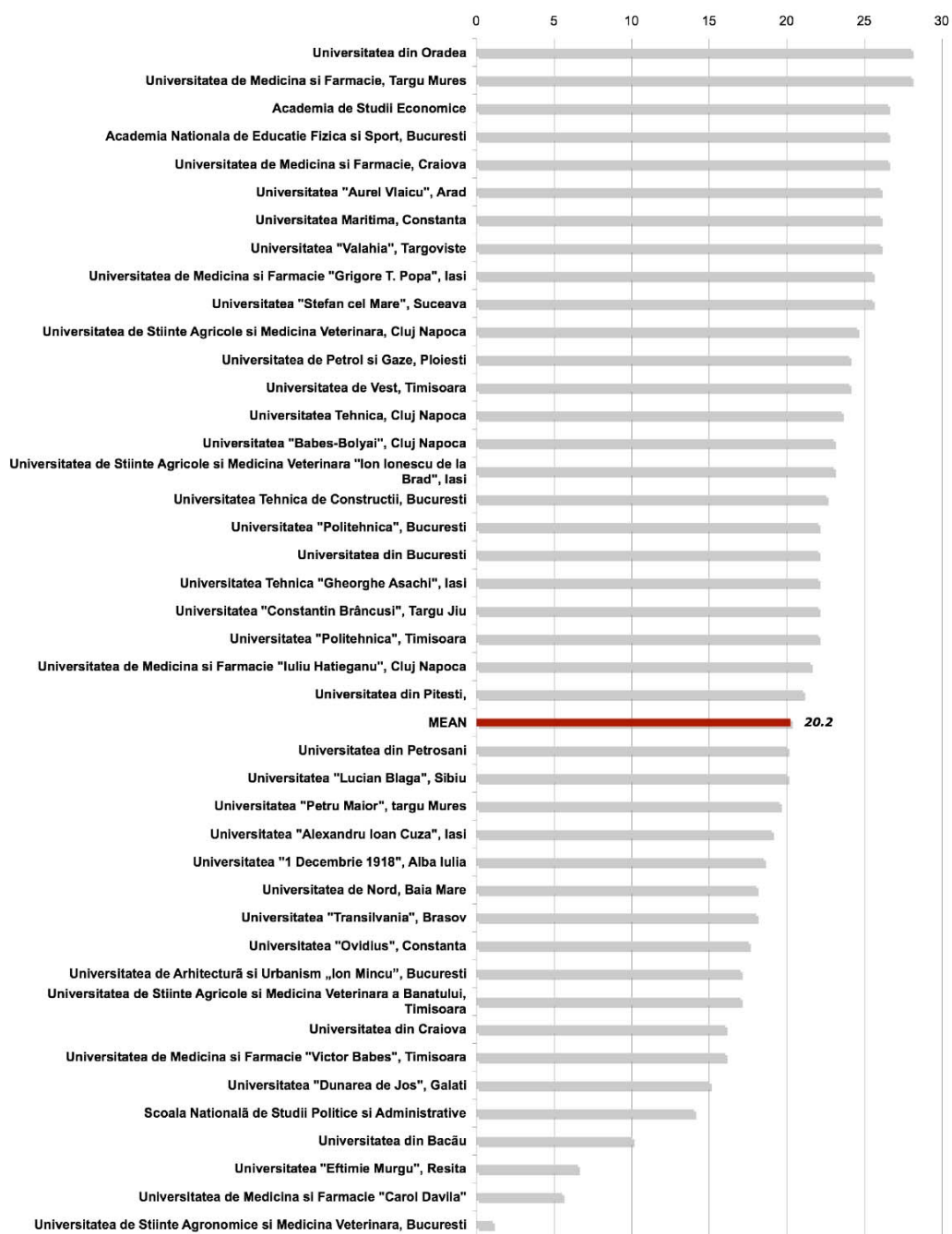
as regards to administration, which proves that the other universities either do not realize the importance of this law, considering that it does not apply to them, either they do not know how this law is being applied, or they completely do not know about it. However, taking into account that this mechanism is less familiar for universities and that they are suspicious rather than reticent, a trait inherited from the old system, evaluators considered as valid the documents received during the evaluation (even if they should have been made available beforehand in the 10 days of legal deadline).

Further on, Law 144/2007, Art. 10 e) stipulates that public institutions have to ensure they publish and update the wealth and interests statements of the managing staff, on the university webpage. Out of the 42 universities, 16 have all wealth and interests statements published and updated, 13 have them only published, but not updated or incomplete, and 13 refuse to make them public. According to the law, if the person who is responsible with the collection of the statements and their distribution to the National Integrity Agency (NIA) and posting on the website, can be financially sanctioned by NIA. If the problem persists, NIA can ex officio start the verification procedure. For example, NIA started ex officio the verification procedure in the case of Marioara Lizica Mihuț, the rector of the "Aurel Vlaicu" University from Arad. The Integrity Agency started the procedure because the rector did not declare that she was an associate in two companies, and this information was lacking from her interests statement. The Agency decided to notify the competent Prosecution Office.

It is crucial in the assurance of impartial, integer and transparent exercise of public office, to respect this law.

Only 38% of state universities are transparent as regards to administration

Fig. 1. Scores for transparency and administrative fairness



The opacity of universities regarding their own procedures and results can be observed also by simply looking at their websites that frequently do not have informations about contests for vacancies, performance of academic staff, the content and syllabus of courses, and decisions of internal structures in the universities. That is why evaluators checked, as part of this category, if the universities' websites are up to date, discovering that they usually reflect the conduct of the university as regards to institutional transparency. Thus, with some exceptions, the universities that are generally more transparent than others, usually have more public information available on their websites.

2. Academic fairness

By looking at the total number of points awarded to the items in the second chapter, we can see how universities position themselves in relation to the mean of the chapter (12 points).

Regarding the level of academic fairness, 18 universities are situated below the mean, 6 are equal to the mean and the other 18 universities are above the mean. In this case, there is one university that accomplishes all conditions in order to have a maximum number of points, and that is "Alexandru Ioan Cuza" University of Iași.

Under this chapter, one of the categories that were evaluated was the existence of rules and procedures to combat plagiarism for both students and academic staff. Despite all scandals, universities do not have the necessary instruments to control this phenomenon that seriously affects the educational process.

In the Romanian system, unfortunately, this phenomenon is frequently encountered, in the ranks of students, but even more importantly, in the ranks of academic

staff, that supposedly should be examples for their tutees. In the most extreme cases, students plagiarize from older papers of their colleagues, or from other available sources on the web, and teachers plagiarize by translating articles from foreign journals and directly putting their names on them.

The first lecture of every course in Western universities is about plagiarism and academic writing. Accent is placed on how to correctly reference such as to be able to emphasize the ideas and real contribution of the author. In the case that students do not respect these rules, their papers either receive a smaller grade or in extreme cases the student repeats the course or is expelled completely. In the teacher's case, the measures taken are equally or even more severe. Plagiarism is very well regulated and punished that practically it is not an option.

In Romania, the situation is completely different, due mainly to the fact that sanctions are not applied (See Case study Beuran). Thus this behaviour is implicitly encouraged. If students would be expelled and teachers would be fired, the rules of the game would change. At the moment, the de facto state is one where there are rules to combat this phenomenon. Nevertheless, these rules remain on paper and in some cases are so vague that leave too much room for interpretation. When it comes to practice, these rules are totally ignored, situation found in 71% of universities, an extremely great number that should raise doubts as regards to the magnitude of the issue.

CASE STUDY: Mircea Beuran, Medicine and Pharmacy University, “Carol Davila”, București

- Minister of Health in 2003
- University Assistant Medicine and Pharmacy University, “Carol Davila” in 1982, Scientific Coordinator in 1994, PhD in 1999; Lecturer in 2000;
- Present: Profesor since 2005, General Medicine Faculty, Surgery, Emergency University Hospital
- Member in the Senate of the Medicine and Pharmacy University “Carol Davila”, PhD coordinator
- ISI papers for promotion: 0; ISI papers for 2002-2008: 0
- Family: wife (Scientific Coordinator in the Faculty of General Medicine) and daughter (Preparatory Stomatology)

Mircea Beuran, Minister of Health in the Romanian Government in 2003, was accused (in august-september 2003) that he coordinated a series of guides in medicine that plagiarized the papers of authors from the United States and France.

A first allegation referred to the “Ghidul Medicului de Gardă,” published in Editura Scripta 1997 as a first volume of the Rezident Collection (Colecția Medicului Rezident). The authors of the guide are Mircea Beuran and Ioanel Sinescu, and collaborators are: Gerald Popa, Daniela Bartoș, și Constantin Popa. According to the media statements, this paper was originally included in the file for lecturer of Mircea Beuran in 2000. The original paper that was plagiarized was “On Call – principles and protocols,” by S.A. Marshall, J.H. Gilles, and J. Ruedy, published at Ed W.B. Saunders Co, Philadelphia, 1989. The media claimed that the guide is a 90% translation of the original paper.

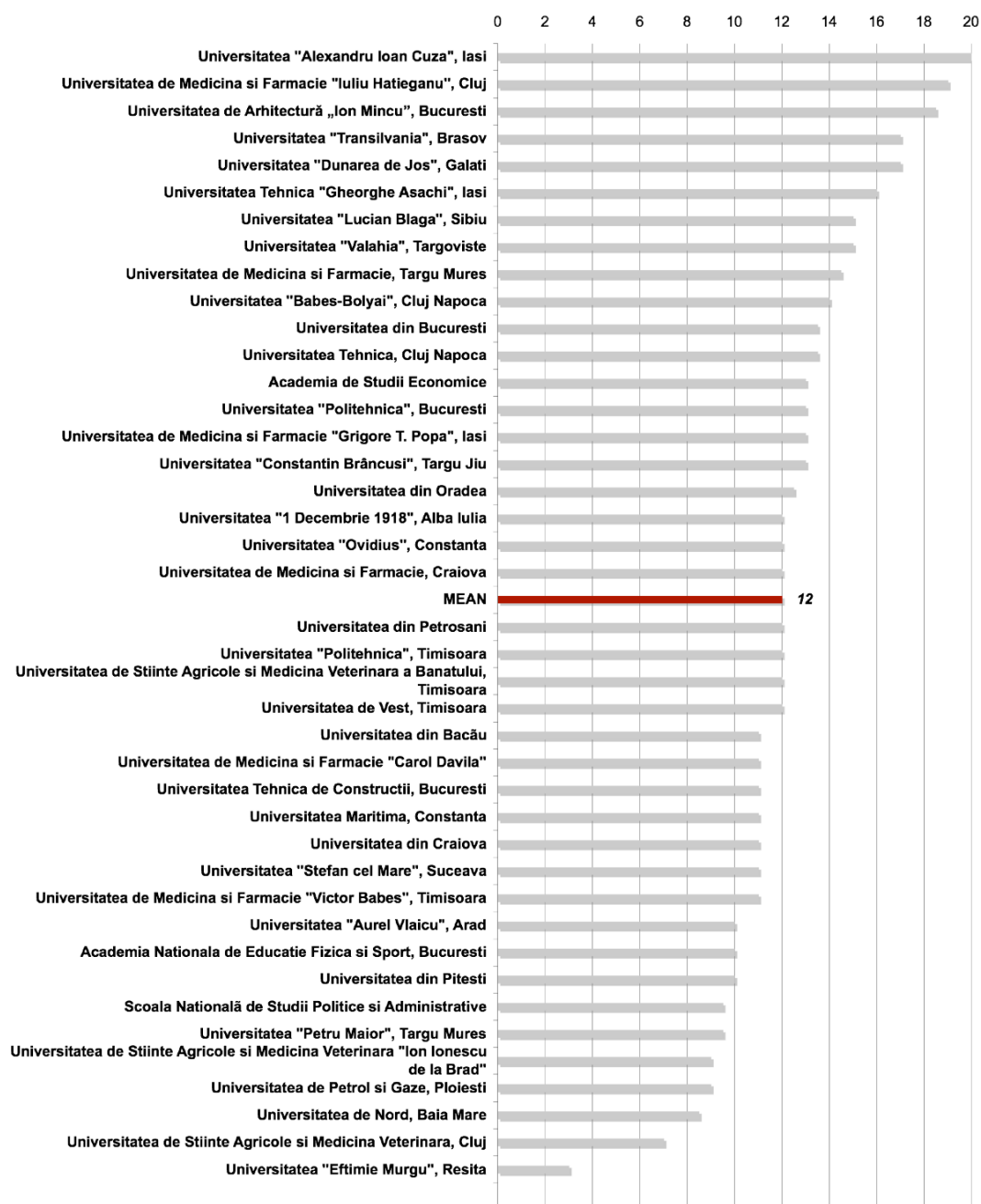
The second allegation referred to volumes 3 and 7 of the Collection, with the following titles: “Ghid de urgențe în chirurgia medicală” (Coordinator: Mircea Beuran, Collaborators: Ilie Pavlescu, Ioanel Sinescu, Florin Iordache, and Corneliu Dumitrescu) and “Ghid de Urgențe în Medicina Internă” (Coordinator: Mircea Beuran, Collaborators: Victor Voicu, Constantin Dumitrache and Adrian Streinu – Cercel). The original paper is: “Urgences en Medicine,” by D. Meynel, A. Davido, and J. Cabane, Paris, 1992. The problem in this case was that even if the Romanian authors had an agreement with the publishing house, when they translated the guides from French the Romanian authors did not even mention the source.

The answer of the University to these allegations was very clear. In September-October 2003, a committee was formed to analyze the allegations and reached the conclusion that both volume 1 and 7 of the Guide were indeed plagiarized. In October 2003, the University decides the exclusion of Mircea Beuran from the teaching staff. Mircea Beuran considered this as abusive and so sued the University. In December 2003, the Court decided that Mircea Beuran was fired abusively, even though apparently the Court did not take into consideration the allegations brought to Beuran by the committee that analysed the plagiarized guides. Mircea Beuran thus returned to the University as a lecturer.

After one year and a half, in 2005, Mircea Beuran participated at the contest for a profesor opening and was the only contestant. The members of the committee that analysed the file for the contest claimed Beuran obtained 108 points out of the total of 110, and that the plagiarized guides were not even considered. In his turn, Beuran declared that his file was analysed by 200 medicine experts. Consequently, the University proposes CNADTCU (Council that awards titles) that it awards the title of profesor to Beuran, and this happened by Order of the Education Ministry nr. 5655/12.12.2005.

Presently, Mr Mircea Beuran is a member of the Senate of the Medicine and Pharmacy University “Carol Davila”, and a PhD coordinator. Mircea Beuran has never published an ISI paper in 2002-2008.

Fig. 2. Scores Academic Fairness



Another aspect the questionnaire considered was academic performance. Scientific performance measured in terms of ISI papers per university, has the disadvantage that often, only a small number of academic staff from that university publish such papers. This situation affects the coordination of PhD students, as many times the coordinator can be one that does not have any international academic prestige.

The ratio of ISI papers per PhD school was calculated, and in the case the faculty randomly selected did not have a PhD programme, the evaluators looked at the oldest PhD programme in the university. 26% of the universities had a mean of more than 2 ISI papers per PhD coordinator; in 38% of universities, the ratio per PhD coordinator was between 1 and 2 ISI papers; and in the remaining 36%, the ratio was under 1 ISI paper per PhD coordinator. Romania finds itself on the 67th place in the world, with regards to the number of ISI papers, being one of the last in the European Union.

The fairness of the academic process was considered also as part of this chapter. Namely, the evaluators checked the participation of both students and academic staff in classes. In 24% of the cases, the evaluators had difficulties in finding the timetable, or the times and venues of classes were faulty, or classes clashed in the same venue at the same time. In the other 76%, the evaluators found a reasonable participation in classes. Also part of the academic process is the appeal process. Evaluators verified whether there are committees to supersede this processes during admission and final exams, dissertation presentations, etc. They looked for rules and procedures to form such committees, to name their members and for resolutions to appeals.

In 79% of the cases, students are free to demand a reassessment of their grades. However, there are cases where students are afraid to appeal, due to possible repercussions from their teachers.

3. Governance quality

We can notice only by looking at the graph that universities do not position themselves well at this category. The quality of governance in universities is overall low. The mean of 10 points out of a total of 35 points further emphasizes this issue.

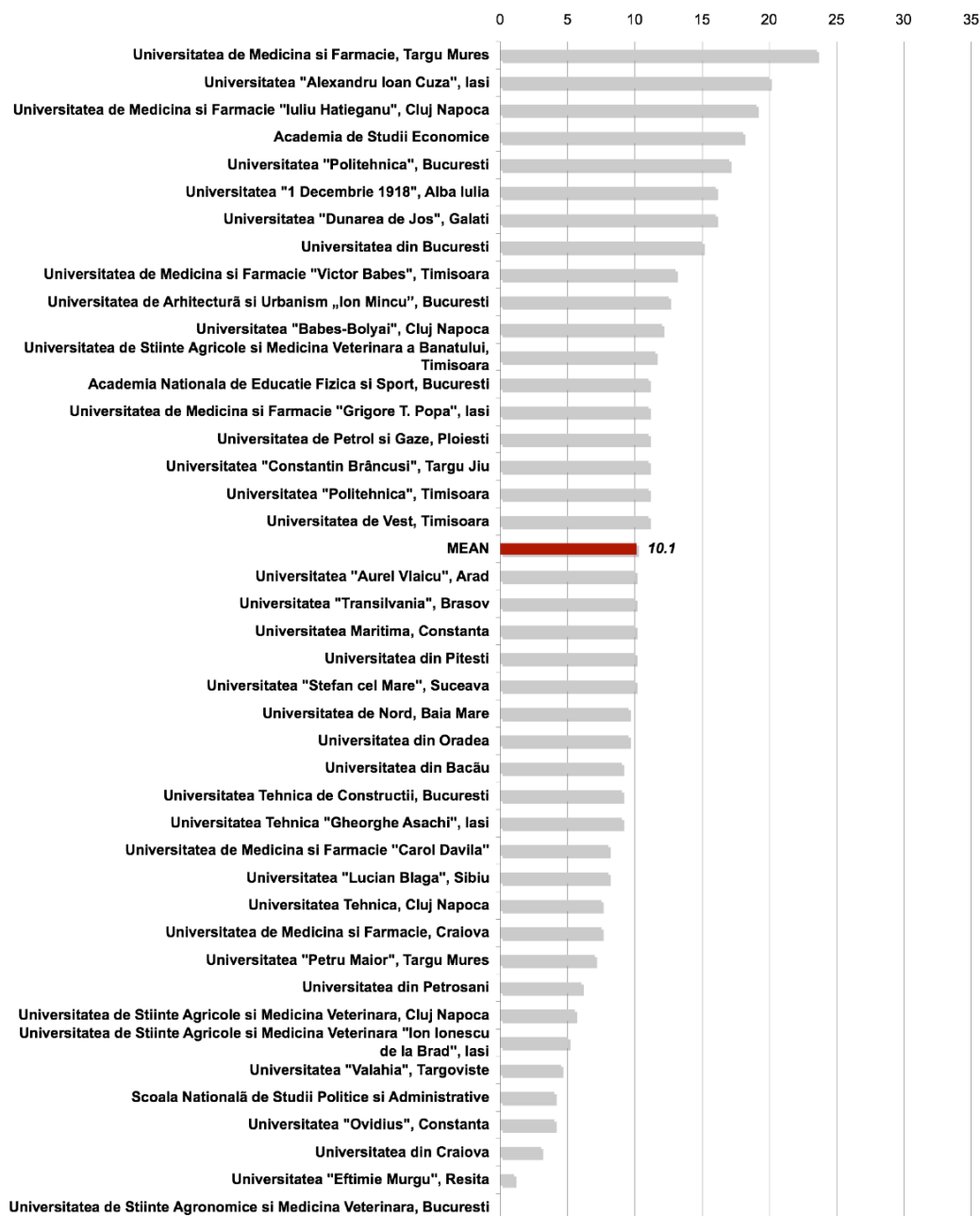
In 57% of universities, governance quality is lower than the mean that is already low enough. In the other 43% the situation is a little bit better, but the deviation is not considerable, as no university has reached the maximum possible, not even the first three universities from the ranking. The first university, the University of Medicine and Pharmacy from Târgu Mureş barely reaches 25 points.

Albeit the majority of universities respect the legal requirements to announce a vacancy, by posting it on the website, and publishing it in the media and in the Official Journal, the most frequent cases are those in which only one contestant is present for a vacancy competition. In this way, the majority of job openings are earmarked for specific persons, but are legally covered.

This problem is further exacerbated by the acute lack of academic qualified staff, and the lack of a strategy meant to attract new staff through real competition. The Medicine universities suffer even more as the situation is more delicate. Many of the graduates prefer to be employed in the private medical sector where starting salaries are higher than the ones of university assistant.

Romania is 67th in the world, with regards to the number of ISI papers, being one of the last in the European Union.

Fig. 3. Scores for Governance quality



When talking about lecturers or professors, there is a general tendency in the Romanian higher education, that these positions are occupied by persons from the interior, by promotion, rather than attracting new academic staff to the university.

This situation clearly reflects that promotion on a professor position is still considered an implicit step in the university career, rather than a competitive process where professional values and performance are recognized. The evaluations also brought to light situations where consultant professors have teaching norms whereas persons with PhDs and experience of over 20 years still find themselves on assistant positions.

In 95% of universities, a great number of families were identified.

Also, evaluators found situations where 30% of the total of teaching norms is kept free, such as to have the legal possibility to invite international academic staff to teach temporarily. A very interesting case was noticed in the Oil and Gas University from Ploiești. The university has accepted to be sued by prof. Dragoș Ciuparu because, in this way his experience and academic activity as a PhD student in Paris and lecturer at Yale University could be recognized as part of a Court decision. The university could not recognize the work experience because in this way it would have overruled the Romanian legislation at that moment. In conclusion, even though the university was the defendant and Dragoș Ciuparu, the claimant, the process was one in which the university and the claimant were on the same side.

Nepotism is an issue that severely aggravates the state of the closed system in the Romanian higher education. In 95% of the universities, a great number of families were identified.

For example, in one of the evaluated universities, in one faculty, there are

8 pairs of related persons, 3 husbands and wife and 5 father and son. Taking into account the total number of academic staff (45), the incidence of university families is very high.

This state of things raises questions about the objectivity of promotions and peer reviews. Where a family member has a leading position, he could negatively influence the distribution of teaching norms and implicitly incomes.

Most academic staff does not consider this as being harmful to the education process, but in the same time are reluctant to open the subject for debate. The main argument they use is that teachers tend to find their partners from within their peers, and their kids follow their careers. Thus they consider that it is not fair if a relative is denied access to a university career especially if that person performs. Even so, in this context we are skeptical when it comes to judging the fairness of the process of promotion. In the end, members of the same family could teach in different universities such as not to raise doubts.

There are isolated cases in universities, where their Code of Ethics contain clear regulations about the conflict of interests that can be generated by family members in the same faculty/department (See Box 1). But unfortunately these do not always function.

Of course, we can differentiate between the types of nepotism found in Romanian universities. Thus there are cases of husband and wife that have met in the university, parents and their children who followed their careers, the parent is a head of the department and the child is a holder of a position, a member of the family has an administrative function, in the Dean's Office or even in the Rector's Office, and the other member is in the same faculty or is a head of the department, or the members of the family are also holders of positions in

the same faculty. Hence there are a multitude of possibilities, and the Romanian higher education illustrates all of them.

As regards the real involvement of students in the decision making process, even though the students represent 25% of the members of universities' Senate and faculties' Councils, the most frequent cases are those where students do not have a real saying in this process.

CASE STUDY: Alexandru Ioan Cuza University of Iași has clear anti-nepotism measures in its Code of Ethics, Art 16:

„The members of the academic community, as well as the auxiliary teaching staff and non teaching staff cannot participate in the following activities that also involve a husband/wife or relatives up to the IV degree, or a god son up to the III degree:

- a) admission contests;
- b) activities of students' evaluations (examinations committees);
- c) coordination of dissertations;
- d) coordination of PhD;
- e) activities of teaching staff, auxiliary teaching staff or non teaching staff evaluations;
- f) contests for vacancies;
- g) committees of analysis and coordination of projects from scientific research grants;
- h) committees of discipline, ethics and control;
- i) committees of scholarship, awards, merit based awards, titles and honor degrees;
- j) public procurement committees.”

Besides this, students' evaluations of courses and teachers are ignored. The evaluations either do not exist, or where they do, their impact is almost non-existent. This proves the formality of this action rather than its functionality. Out of the 42 universities, only 21% comply with the conditions of participation of student representatives in the decision making process. In many cases this involvement is present only in paper.

There are a few cases where the voices of the students are actually heard and listened to.

The evaluators also checked as part of this chapter, how the merit based salary supplements are granted. Who awards these and based on what criteria? Are these correlated to personal value (ISI papers, international prestige) or are they awarded discretionary? The evaluators looked for the existence of transparent regulations in this matter. In all the discussions they carried with the heads of the universities or faculties, the evaluators were reassured that these salary supplements are awarded only according to well established criteria of academic and scientific performance. However, the criteria used and the lists of salary supplements were not completely made available, this being the case in 74% of the universities. Unfortunately, the lack of transparency of this process does not encourage a real competition within the academic staff, and does not provide any incentives for that. It is not clear how these available resources are used to award professional merit. In most cases, these merit based salary supplements are distributed according to social needs by the head of university.

Even though regulations are present and there are individual performance evaluation sheets available, these are irrelevant to the whole process. The Council of each faculty is powerful and decides by vote who is awarded. Young members of the academic staff, even if many times perform better, usually do not stand a chance in getting such an award as there appears to be a condition of many years of experience.

4. Financial management

Out of a total of 15 points, the average sits at 8.8 points (University of Agricultural Sciences and Veterinary Medicine, Cluj Napoca).

41% of cases stand below average, 17% have a score that is equal to the average and the remaining 42% are above average. There are, however, 2 universities that meet all necessary criteria to be granted the maximum score for financial management.

For this part of the study, the evaluators have verified discretionary expenditures, by analyzing the balance of subsidy accounts (such as those for scholarships, transportation), and have examined the data in connection to the sums returned to the state budget during the preceding year. This was a method of checking for fraudulent misuse of funds. More precisely, there are cases where money are kept in some budgetary chapters so that they could later be transferred towards other profitable budgetary chapters; for example, an amount of unspent money from the scholarship fund may be transferred to the account for student dormitories and canteens maintenance, and these funds can be used for constructions. The public procurement process for construction activities provides an opportunity to extract private benefits or bribes from construction companies, whereas the scholarship funds provide no such opportunity for personal gains.

At the same time, some universities suffer as a result of financial mismanagement, by allocating funds for budgetary chapters that do not correspond to the real needs of the university, which can be considered discretionary spending. The managers may decide to spend all of the income on salaries or on useless facilities, while no money are invested in better equipment for laboratories or other prerequisites

necessary for a normal educational process.

38% of universities showed a lack of transparency in this aspect, either by refusing to provide evaluators with the necessary financial documents, or by providing incomplete documentation. This lack of transparency and the incomplete financial records may point to poor management. This at its best is an indicator of institutional incapacity for financial management and at its worst points toward intentional covering up of illicit management of funds. In many of these cases, evaluators found reports of the Court of Auditors that illustrated unlawful financial management.

Besides these, the evaluators have also assessed the universities' degree of compliance with public procurement laws. From the list of financial documents made available, they have requested a random sample documents regarding direct contracts and requests for offer. They verified whether laws for granting contracts without public auction were respected, whether the same firm or firms repeatedly win public procurement contests and whether there were official complaints concerning the quality of products and/or services contracted by the university. The findings show that there are cases in which public procurement contests are manipulated and some companies are privileged, as they constantly win these contests. Other elements that may raise suspicion concerning the public procurement process include: the existence of frequent direct contracting, which is much more commonly used than public procurement bids, the frequent use of direct attributing to the same company in the case of contracts involving very large amounts of money, and the existence of a few firms that had several contracts with universities after direct contracting or requests for bid where they had no competitors. (See the following case study for more info).

CASE STUDY: University of Agricultural Sciences and Veterinary Medicine, Bucharest

According to the data published in the Electronic System for Public Procurement, between January 1st 2008 and January 19th 2009, UASVM Bucharest granted 85 public procurement contracts. According to the same data, 43 out of the 85 contracts, meaning approximately 50% of procurement contracts were negotiated without a prior public procurement request for offers. There is a procedure through which a beneficiary may assign a contract through direct negotiation with only one supplier, but is obliged to attach to the public procurement documents a note explaining the reason for which this procedure was selected. Article 122 of the Law concerning Public Procurement specifies the situations in which this procedure is acceptable. The explaining notes for the 43 cases mentioned where USAMV Bucharest granted contracts without prior selection of offers mention two of the special situations for which there are provisions in the law: one is in case of emergency, where the need for the service is too pressing to allow for the organization of a contest, and the other is the nature of the product or service needed, for which there may be only one supplier. However, in reality, the object of most of these contracts did not correspond to the justificatory notes. For example, a contract for buying kitchen furniture for one of the university dormitories was granted directly invoking urgency. Also, the procurement of desks for classrooms and offices through this procedure used as motivation point d) of article 122: [the procedure may be used] “when the products that are to be procured are extremely specific products used in scientific and experimental research, for technological development and research, and only if they are not produced for profit and do not aim at the amortization of costs”.

In addition, only a small number of firms were a preferred supplier for this type of contracts. Among the companies that were granted contracts by USAMV Bucharest, the following stand out by having won a number of public procurement contracts: SC GRIMA COM SRL (5), AS GROUP ROMTHERM SRL (5), NURVIL SRL (6) and GBC EXIM SRL (6). According to the data published on SEAP, out of these, SC GRIMA COM SRL and AS GROUP ROMTHERM SRL won all their procurement contracts with USAMV Bucharest through the same procedure: direct negotiation without prior publishing of a bid for offers announcement. Out of the two, local press in Ramnicu Valcea indicated that GRIMA COM may be connected to the some of the mafia clans in Craiova.

There were cases in which all the relevant details for the conclusion of the public procurement process, be it by annulment, or by granting the contract, were not provided, as well as cases in which the offers underestimated the costs, while after the assignment of the contract the real sums paid were larger. These underestimations indicate towards flaws in the management of the public procurement process as: it can lead to the blocking of some resources that are relevant in planning the procurement process, and it may generate distortions in the competition between offers, with

some companies making an offer based on inside information.

Half of the universities evaluated in this study had a low score in this dimension, due to practices such as those described above, or as a result of their refusal to provide financial documents. The remaining 50% seem to meet the legal demands concerning public procurement.

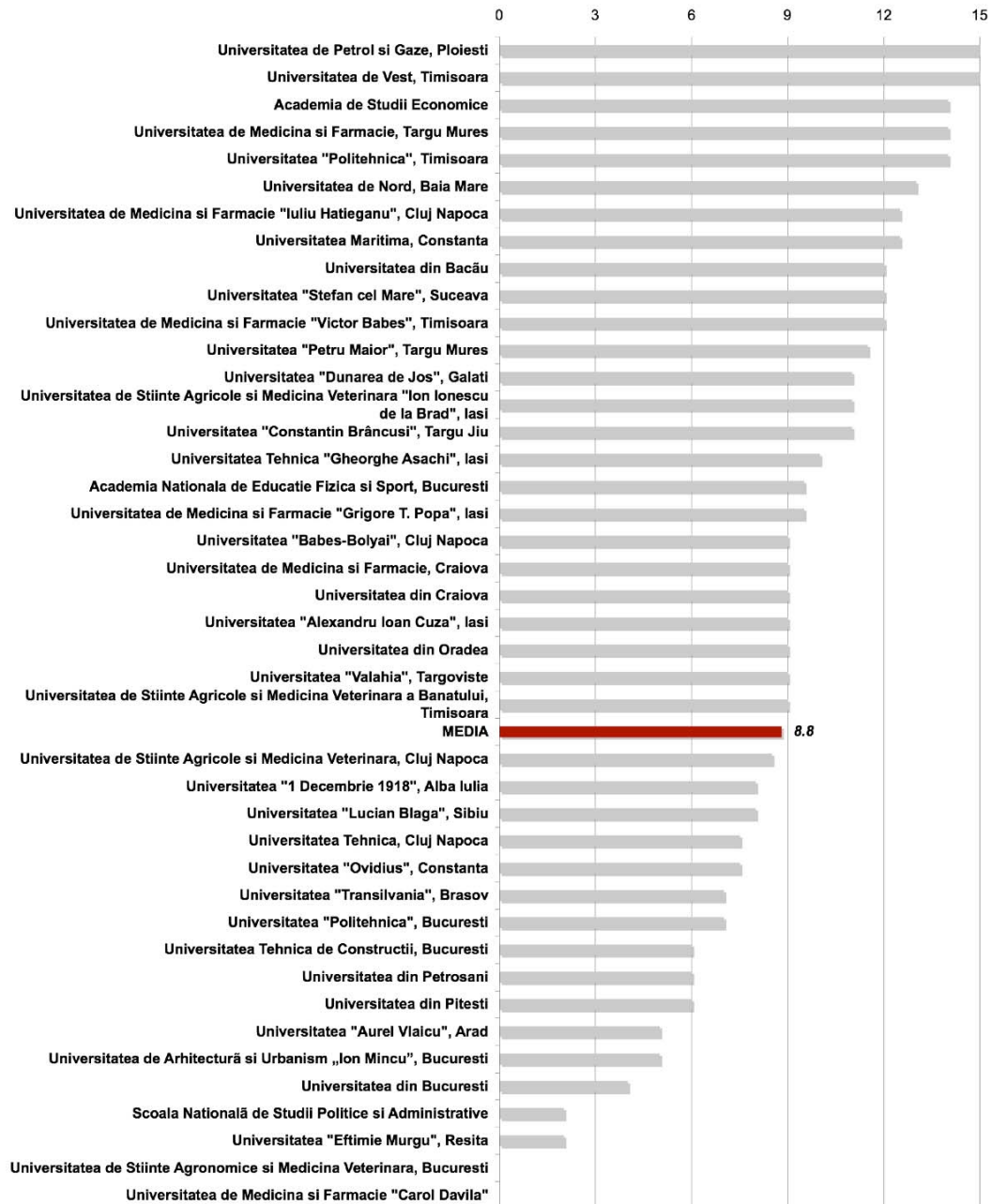
The corroboration of wealth statements with those of interests was not possible in 60% of cases, because this type of information was either absent or incomplete. For the remainder of the sample, where this

type of corroboration was possible, no inconsistencies were discovered. There was, however, a case, namely that of "Aurel Vlaicu" University in Arad, where the analysis of these documents raised some suspicions that were later confirmed by complaints that the National Agency for Integrity forwarded to the National Prosecutors Office concerning false statements of the current rector.

5. Penalties

A series of penalties were applied as described in the methodology. Thus, 52% of the universities were penalized for one or more categories. From the total of 42 universities, in 16% of them, the University has lost trials on issues of fairness with its students or employees. In 14% of them there is more than one prosecuted case of corruption, sexual harassment, discrimination, etc. in the past 4 years. In 17% of the cases, there were negative reports have been made by financial and regulatory bodies of the state in the past 4 years. And in 10% of the cases there was proof of serious acts of forgery in the past 10 years.

Fig. 4. Scores for Financial Management



Final scores

After obtaining the final results, due to their distribution, they could be separated into clusters.

5 ★★★★★ The University is transparent and fair as regards administration. The management of the university is capable to correctly administer the institution, makes all public information available, including the wealth and interests statements, and answers to the Law 544/2001 requests respecting the legal deadline. The University has an up to date website, and it publishes all relevant information on it, so that every student or interested actor can find out anything of interest related to the University, be it its departments, courses, admission requirements, academic staff, library, academic journals, electronic databases.

The University is academically fair, and has rules and regulations to combat plagiarism that are respected by sanctioning the situations where such cases appear. As regards academic performance, the doctoral schools have a very high ratio of ISI papers per PhD coordinator, and lecturers and professors have a high percentage of the total of publications, proving that promotions are done based on merit. The University has a vibrant academic and scientific environment, where both teachers and students are encouraged to perform at their highest level.

The academic process is fair, classes are being respected, and both teachers and students are present for them. The academic process can be appealed easily by those who have reasons to ask for a reassessment, without them being discouraged by fear or retribution.

In a five star university the system is open, contests for job openings are announced in advance, and the university complies with all the legalk

requirements of organizing such contests.

The qualified persons are free to apply for the job, and participate at the contest, and the best candidate wins. These are not disadvantaged by the presence of families in the university as these do not exist, and in the case they do they are very scattered, such as not to be able to influence one's position. The students participate in the decision making process as the law predicts, and the decisions are taken so as to take their opinion into consideration. The merit based salary supplements are really awarded based on academic and scientific performance and merit.

The University is solid as far as financial management is concerned and there are no lost trials or prosecuted cases, negative reports or proofs of forgery.

No Romanian university is awarded 5 stars.

4 ★★★★★ The University is mostly transparent and fair as regards administration. The management of the university is capable to correctly administer the institution, makes most public information available, however the wealth and interests statements are not always made public. The University replies to the Law 544/2001 requests, but not always completely. The University has an up to date website, but it leaves room for improvement as public information is not 100% complete and relevant information is not all the time logically disposed.

The University is academically fair, and has rules and regulations to combat plagiarism that are respected by sanctioning the situations where such cases appear. As regards academic performance, the doctoral schools have a high ratio of ISI papers per PhD coordinator, and lecturers and professors have a high percentage of the total of publications, proving that promotions

are done based on merit. The University has a vibrant academic and scientific environment, where both teachers and students are encouraged to perform at their highest level.

The academic process is fair, classes are being respected, and both teachers and students are present for them. The academic process can be appealed easily by those who have reasons to ask for a reassessment, without them being neither discouraged nor encouraged.

In a four star university in Romania the system is mostly open, contests for job openings are announced in advance, and the university complies with all the legal requirements of organizing such contests. The lack of more candidates for a job opening contest is due to the fierce competition on the labour market, and the strategy undertaken by the University to attract new academic staff is not very functional. There is a risk that some teaching staff is disadvantaged by the presence of families, because these exist nevertheless scattered in the university. There are rules however in the Code of Ethics that proposes to combat this phenomenon.

The students participate in the decision making process as the law predicts, and the decisions are taken so as to take their opinion into consideration. The merit based salary supplements are really awarded based on academic and scientific performance and merit.

The University is solid as far as financial management is concerned and there are no lost trials or prosecuted cases, negative reports or proofs of forgery.

4 stars are awarded to the following Romanian state universities:

- Universitatea de Medicină și Farmacie, Târgu Mureș

- Universitatea de Medicină și Farmacie "Iuliu Hațieganu", Cluj Napoca
- Universitatea "Alexandru Ioan Cuza", Iași

3 ★★★ The University is semi-transparent and fair as regards administration. The management of the university is capable to oversee the institution, but there is room for improvement. The University makes most public information available in a degree of 70-80% however the wealth and interests statements are not always made public. The University replies albeit not always completely and not respecting the legal deadline to the Law 544/2001 requests. The University has an up to date website, but it leaves room for improvement as public information is not 100% complete and relevant information is not all the time logically disposed.

The University is mostly academically fair, as there are times that rules and regulations remain only on paper. Rules and regulations to combat plagiarism exist and are sometimes respected, but mostly to serve appearances. As regards academic performance, the doctoral schools have a medium ratio of ISI papers per PhD coordinator, and lecturers and professors have a medium percentage of the total of publications, proving that promotions are done based on merit. The University has a vibrant academic and scientific environment, where both teachers and students are encouraged to perform at their highest level.

The academic process is fair, classes are being respected, and both teachers and students are present in most of the cases for them. The academic process can be appealed easily by those who have reasons to ask for a reassessment, but they are sometimes discouraged by fear of repercussions. There are cases

where students have no right to appeal.

In a three star university in Romania the system is mostly closed, contests for job openings are announced in advance, and the university complies with all the legal requirements of organizing such contests, but only to respect appearances. The lack of more candidates for a job-opening contest is an indicator that the positions are earmarked for a specific person. There is a risk that some teaching staff is disadvantaged by the presence of families, because these exist in the university, and many times they are present in the management team. Even if there are rules in the Code of Ethics that proposes to combat this phenomenon, they are not applied. Students participate in the decision making process as the law predicts, but they do not have a real saying in this. The merit-based salary supplements are not always awarded based on performance and merit, but based on social needs or position.

The University can improve as regards financial management, and there are cases of trials lost on issues of fairness with its students or employees.

3 stars are awarded to the following Romanian state universities:

- Universitatea din București
- Universitatea "1 Decembrie 1918", Alba Iulia
- Universitatea "Dunărea de Jos", Galați
- Universitatea de Arhitectură și Urbanism „Ion Mincu”, București
- Universitatea de Medicină și Farmacie "Victor Babeș", Timișoara
- Universitatea de Științe Agricole și Medicină Veterinară a Banatului, Timișoara
- Universitatea de Nord, Baia Mare
- Universitatea Tehnică de Construcții, București
- Universitatea "Babes-Bolyai", Cluj Napoca
- Universitatea "Petru Maior", Târgu Mureș

2★★ University that can considerably improve as regards transparency and administrative fairness. The management can considerably improve the way it administers the university, by increasing the degree of institutional transparency. The University makes most public information available in a degree of 70-80% however the wealth and interests statements are not always made public, and when they are, they are either incomplete or not to date. The University replies albeit not always completely and not respecting the legal deadline to the Law 544/2001 requests. The University's website is incomplete, there are public informations that are not made available, and it lacks information that could be useful for current and prospective students.

The University is not very correct in what regards the academic process, as many times it keeps the rules only on paper. Rules and regulations to combat plagiarism do not always exist but when they do they are only sometimes respected, but mostly to serve appearances.

- Academia de Studii Economice, București
- Universitatea Maritimă, Constanța
- Universitatea "Politehnică", București
- Universitatea de Petrol și Gaze, Ploiești
- Universitatea "Ștefan cel Mare", Suceava
- Academia Națională de Educație Fizică și Sport, București
- Universitatea Tehnică "Gheorghe Asachi", Iași
- Universitatea de Medicină și Farmacie, Craiova

As regards academic performance, the doctoral schools have a medium or even below medium ratio of ISI papers per PhD coordinator, and lecturers and professors have a medium percentage of the total of publications, proving that promotions are done based on merit.

The classes are kept by respecting the timetable but there are cases in which the timetable is not public or what is made public is full of mistakes. Both teachers and students are present in classes most of the times. The academic process can be appealed by those who have reasons to ask for a reassessment, but they are discouraged by fear of repercussions. The lack of appeals can also indicate a system that does not work properly.

In a two star university in Romania the system is mostly closed, contests for job openings are announced in advance, and the university complies with all the legal requirements of organizing such contests, but only to serve appearances. The lack of more candidates for a job-opening contest is an indicator that the positions are earmarked for a specific person. There is a risk that some teaching staff is disadvantaged by the presence of families, because these exist in large numbers within the university, and many times they are present in the management team. Even if there are rules in the Code of Ethics that proposes to combat this phenomenon, they are not applied. Students participate in the decision making process as the law predicts, but they do not have a real saying in this process. The merit-based salary supplements are not always awarded based on performance and merit, but based on social needs or position.

The University can improve as regards financial management, and there are cases of trials lost on issues of fairness with its students or employees, negative financial reports, prosecuted cases and cases of forgery in the past.

2 stars are awarded to the following Romanian state universities:

- Universitatea "Valahia", Târgoviște
- Universitatea de Medicină și Farmacie "Grigore T. Popa", Iași
- Universitatea Politehnică, Timișoara
- Universitatea din Petroșani
- Universitatea de Vest, Timișoara
- Universitatea "Transilvania", Brașov
- Universitatea de Științe Agricole și Medicină Veterinară, Cluj Napoca
- Universitatea de Științe Agricole și Medicină Veterinară "Ion Ionescu de la Brad", Iași
- Universitatea Tehnică, Cluj Napoca
- Universitatea din Pitești

1★ University that has a lot to work to improve the institutional transparency and administrative fairness. The management can considerably improve the way it administers the university, by increasing the degree of institutional transparency. The University makes most public information available in a degree of 50-60% however the wealth and interests statements are not always made public, and when they are, they are either incomplete or not to date. The University incompletely replies to the Law 544/2001 requests and does not respect the legal deadline. The University's website is incomplete, there are public informations that are not made available, and it lacks information that could be useful for current and prospective students.

As regards academic fairness, the University keeps the rules only on paper, when it comes to acting on them the process gets very cumbersome. Rules and regulations

to combat plagiarism exist but they are kept for appearances, because when cases are identified, the university does not apply any sanctions.

As regards academic performance, the doctoral schools have a medium or even below medium ratio of ISI papers per PhD coordinator, and lecturers and professors have a medium percentage of the total of publications, proving that promotions are done based on merit.

The classes are kept by respecting the timetable but there are cases in which the timetable is not public or what is made public is full of mistakes. Both teachers and students are present in classes most of the times. The academic process can be appealed by those who have reasons to ask for a reassessment, but they are discouraged by fear of repercussions. The lack of appeals can also indicate a system that does not work properly.

In a one star university in Romania the system is closed, contests for job openings, if announced in advance, it is only to serve appearances. The lack of more candidates for a job-opening contest is an indicator that the positions are earmarked for a specific person. There is a risk that some teaching staff is disadvantaged by the presence of families, because these exist in very large numbers within the university, and many times they are present in the management team. If there are rules in the Code of Ethics that propose to combat this phenomenon, they are not applied. Students participate in the decision making process as the law predicts, but they do not have a real saying in this process. The merit-based salary supplements are not always awarded based on performance and merit, but based on social needs or position.

The University can improve as regards financial management, and there are many cases of trials lost on issues of fairness with its students or employees, negative financial

reports, prosecuted cases and cases of forgery in the past.

1 star is awarded to the following Romanian state universities:

Universitatea din Bacău

- Universitatea "Lucian Blaga", Sibiu
- Universitatea "Ovidius", Constanța
- Universitatea din Oradea
- Universitatea din Craiova

0★ You do not want to work or study in the following universities! This category contains universities that were so opaque that **the evaluation process could not take place.**

Also part of this category are universities that albeit more transparent, are very problematic when it comes to integrity issues, and rules that are meant to regulate delicate situations are not applied at all. It has to be mentioned that the last two universities are the only ones that have received a negative final score.

0 stars are awarded to the following Romanian state universities:

Universitatea "Constantin Brâncuși", Târgu Jiu

- Universitatea "Aurel Vlaicu", Arad
- Școala Națională de Studii Politice și Administrative, București
- Universitatea "Eftimie Murgu", Reșița
- Universitatea de Medicină și Farmacie "Carol Davila", București
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Recommendations

Higher education in Romania is based on an accumulation of formal qualifications. It is not easy to transform this system into one that is based on incentives that will stimulate academic research and performance, due to our Communist legacy, but nor is it impossible.

A greater accent has to be placed on transparency and in this way the issue of integrity can be brought into the public sphere. Thus the public can sanction the authorities through this checks and balances mechanism.

The laws have to be applied for a change and corruption has to be severely sanctioned. In a climate where exams are taken seriously and results are obtained based on merit, quality and performance are encouraged. Students will actively ask for a better education and this will further put pressure on professors to be better prepared, encouraging thus a real competition between them. Out of this competition we will have performance. The trade unions have to support this policy, advantageous for them too, as in this way their standards and requests will be better positioned and they will have more clout.

Thus, incentives that encourage the current paradigm will be changed and will contribute to **the creation of a new paradigm based on transparency, integrity and mostly quality and performance.**

Following the project of the Coalition for Clean Universities and its results, two main recommendations can be structured:

- 1. The development of vertical control (by the Ministry of Education) and horizontal control (functionable Ethics Commissions that will include persons from other institutions, local control organs).**

The autonomy of an institution needs to be counterbalanced by an accountability mechanism. Without this mechanism, the institution can lose its legitimacy. The autonomy of Romanian universities has rather brought about a weakening of the higher education institutions, because the Ministry is not capable to effectively demand for more transparency and accountability. The Ministry plays a key role in this vertical process of control, and thus should come up with a workable mechanism of control.

Besides this, a horizontal process is needed, by which local organs should be developed that would demand for transparency and accountability from the higher education institutions. These local organs can be built up starting from the Ethics Commissions in the universities, but with the participation of people from outside the university, such as persons from the local government, or from other local institutions, in order to have a wide range of public.

2. Reducing administrative discretion by introducing clear and not interpretable criteria.

Besides vertically and horizontally demanding for increased transparency and accountability, the criteria should not allow administrative discretion by encompassing clear procedures and sanctions. Clear and not interpretable criteria refer to criteria that are used to regulate all integrity issues this study has uncovered. It refers to criteria used to reply to the Law for free access to public information, to the Law regarding the publication of the wealth and interests statements, to rules and regulations to combat the issues of plagiarism and nepotism, and so on. All these rules albeit existing, they remain on paper most of the time that is why new rules or unambiguous rules are needed. The rules should be accompanied by clear sanctions that should not be overruled.

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